DEMOCRATIC BANNER.

"United We Stand—Divided We Fall."

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Yearly and quarterly advertisements at reasonable rates.

REMOVAL.

The Banner Office has been removed from Main to Water Street, in the building lately occupied by J. Richardson.

POETRY.

The following lines, written by Mr. Tupper, are spirit-stirring, and highly creditable to the genius of the accomplished author:

ROCKS AHEAD.

Stead, steady, gallant vessel;
Hard aport—obey the helm—
Lest the breakers round the wrestle,
Lest the billows overwhelm;
Though so pleasant just at present
Be the voyage thou hast sped,
There is peril, stark and sterile,
Look you! in the rocks ahead,

See that license of opinion
Stifle not zeal's holy flame,
Till religion's pure dominion
Dwindles feebly to a name;
Greed of gain, and sordid senses,
Tempt the waywardness of youth,
And it needs the best defences
Of the citadel of truth.

See that no pernicious panic
Scare the good from duty's post;
Lest, by license grown tyrannic,
Liberty be but a boast.
Let the greatest, best, and wisest,
Calmly guide thine eagle course;
Of no more to heaven thou risest,
Headlong flung with downward force.

Let the Press, with truth enlightened,
Nobly lead the People's mind;
That while public wrongs are rightened,
Private names go unmaligned.
Let no evil spirits pander
To the passions of the mob,
Nor the pen be dipped in slander,
God and man of love to rob.

If all clamor, overriding
Law, supremely rules the land—
If domestic love, abiding,
Rules at home with patriarch hand—
If refinement chastens pleasure—
If fair dealing hallows gain—
If wise intervals of leisure
Soothe the heart and clear the brain—

If both justly and discretely,
From reproach thy fame to save,
Not too rudely, not too fleetly,
Soon thou settest free the slave.
If UNITED, NOW AND EVER,
Thou shalt grow so great to be
That the wondering world may never
Through all Time thine equal see.

Yes, as now, let Patriots steer thee,
Undismayed by men or things;
Let Religion's cherub cheer thee
As she sits aloft and sings;—
So an Eden, not an Edom,
Shall thy happy name be read,
And the glorious ship of freedom
Weather all the rocks ahead.

AMERICA.

AIR—"*God save the King.*"

My Country! 'tis for thee,
Sweet land of liberty,
Of thee I sing;
Land where my fathers died—
Land of the Pilgrim's pride,
From every mountain side
Let freedom ring.

My native country, thee,
Land of the noble free,
Thy name I love;
I love thy rocks and rills;
Thy woods and templed hills;
My heart with rapture thrills,
Like that above.

Let music swell the breeze
And ring from all the trees
Sweet freedom's song;
Let mortal tongues awake;
Let all that breathe partake;
Let rocks their silence break,
The sound prolong.

Our fathers' God! to thee,
Author of liberty,
To thee I sing,
Long may our land be bright,
With freedom's holy light;
Protect us by thy might,
Great God our King.

The man who never loved a pretty woman was lately seen by some Greenlanders, going around the North-pole, an icicle a yard long hanging to his nasal organ, and a sharp northeaster after him whistling.

From the Journal of Commerce, April 25.

STRICT CONSTRUCTION.

In presenting some general views on this principle of construction as applicable to the constitution of the United States, it was mentioned that some of the dangers resulting from the opposite rule would be pointed out. The people are so much more familiar with the working of State legislation that they do not readily comprehend the vast difference which exists between the general and local constitutions. The difference results from the organic structure of the two instruments. The grants of power in the State constitutions are *general*.—*All* legislative power is in terms conferred. Under such a constitution, the legislation embraces every subject nearly, and there is no necessity to see whether the power is particularly granted; we examine only to see whether it is in terms *withheld*. The few powers withheld are so generally known that the local constitution is scarcely looked to at all to learn what powers may be exercised. Such is the habit, and it almost disqualifies those who have long pursued it, from understanding that a system the very reverse must govern the legislation at Washington.

We were thirteen States when the national constitution was formed. Its formation was voluntary—not compulsory. Various and conflicting local interests existed among the States. They were of the gravest character, and their preservation, perfect and complete, to the individual States was essential. By granting *all* legislative power to the national government, these interests would have been swept away, and State lines and State powers would have been annihilated. The representatives of these States in the convention were, in order to preserve these interests, driven to a careful and precise specification of the powers which Congress might exercise, and to declare in terms that the powers not granted were reserved to the State respectively, or to the people. Under such a constitution the legislative habit must be opposite to that which applies to the State constitutions. The power to be exercised must be found within particular specifications, or in some clause, or be "necessary and proper" for carrying it into effect. If powers not granted are assumed, the general government diminishes those which the States reserved, and confounds and disturbs the harmony of the system.

From the formation of the government there have been those who were interested in extending its powers beyond the bounds of this specified authority, and others equally interested in confining the government within the limits originally set for it. Parties have arranged themselves into shape and organization on these opposing principles; and so deep are the interests at stake, that upon this issue they will ever wholly or in part be formed. The South, which hitherto has been divided on this question, exhibited such unanimity in the last Congress in favor of the principle of strict construction, (that which secures the right retained by the States) that politicians of the North, from desire of affinity with them, will the more readily yield up their views on this question. The course of Georgia, without distinction of party, indicates a systematic and thorough determination to oppose the assumption by Congress of improper powers. A like course on the part of other southern States will secure their domestic institutions from legislative violence on the part of Congress. Their only safety lies in a careful and habitual preservation of the original restrictions upon the power of Congress, and a careful and habitual preservation to the States of the reserved powers.

The most noted instances of departure from it which the history of the general government presents were the establishment of a Bank of the United States—a money corporation—mainly under the power 'to lay and collect' taxes—the *primary* object of the bank being to discount bills and issue money, and its *secondary* object only to collect and disburse the revenue; the passage of a general *insolvent* law, under a power to establish "a uniform system of *bankruptcy*;" the creation of a system of internal improvements within State lines and of a local character, under the power "to establish post offices and post roads;" the establishment of a system of protection, under the authority to raise a revenue, and on a plan which diminished revenue as protection increased and the improvement of local harbors and rivers, under the right to regulate commerce. The enumeration might be extended; but a single case illustrates a principle, and the extension is unnecessary. It may be remarked of all these powers that the constitution might be looked to in vain by a stranger to it to find on which of the eighteen specifications of power they respectively hinged. Some of these powers were asked from the framers of the constitution, and refused by a decisive vote—the power to establish a corporation, for instance. But yet, through the plastic influence of the rule of implied construction, a corporation was established almost the equal of the government in influence, and its superior except when attacked by a popular idol, of remarkable firmness, of unequalled energy, of desperate courage, who waged battle with a strength unknown to former political conflicts. The farmers of the constitution, when they gave Congress power to "lay and collect taxes, and to regulate commerce," could not have supposed that they were conferring, as appurtenant to them a power which they refused to create independently to *incorporate*. Nor could they have supposed, when they limited the powers of Congress over money to its *coinage* and the regulation of the value thereof, that Congress would have conferred on any corporation a right to issue a different kind of money—one which affected the very standard they were bound to provide. The departure from the plain object and intention of the framers of the constitution in this instance established a principle of construction which, if persisted in and applied to powers, would have confounded all distinction between the two systems, and made the theory of governing through a constitution too ridiculous for adoption by other nations, and shown its unfitness to carry us forward to a safe and a high condition.

Two features of an important character were thus established:

1. That the power to lay and collect taxes might be exercised by a corporation, and that public officers, subject to removal, impeachment, and punisment, might be dispensed with.

2. That, in order to carry into effect a specific power, an institution might be established to exercise other and different and higher authority under the pretence that it was a means to an end—such other and different and higher authority not having been conferred upon Congress.

If the general government may undertake the business of a banker as a part of the authority to lay and collect taxes; it may undertake the business of carrying passengers as a part of the authority to carry the mail. If it may create a corporation for banking purposes, it may establish a steamboat and stage corporation to carry passengers. If it may dispense with public servants and officers in collecting & disbursing the revenue, why may it not also in the conduct of our foreign negotiation? The application of the rule to other subjects might work a change in the form of government entirely—from one conducted by official persons into one managed wholly by corporations.

The present arrangements for collecting and disbursing the revenue are entirely in harmony with the constitution; they are attended with no assumption of doubtful powers; they interfere with the private pursuits of none; they alarm no section by an attempted stretch of authority; they are simple and effectual; they show the wisdom of the great and good men who framed the constitution of the United States, and of the Congress which established a measure so much in harmony with it.

A Touching Story.

The following effecting narrative purports to have been given by a father to his son, as a warning derived from his own bitter experience of the sin of grieving and resisting a mother's love and counsel.

"What agony was visible on my mother's face when she saw that all she said and suffered, failed to move me! She rose to go home, and I followed at a distance. She spoke no more to me till she reached her own door.

"'It is school time now, said she. 'Go, my son, and once more let me beseech you to think upon what I have said."

"'I shan't go to school,' said I.

"She looked astonished at my boldness, but replied, firmly:

"'Certainly you will go, Alfred. I command you.

"'I will not!' said I, with a tone of defiance.

"'One of two things you must do, Alfred—either go to school this moment, or I will lock you in your room, and keep you there till you are ready to promise implicit obedience to my wishes in future.'

"'I dare you to do it,' said I, 'you can't get me up stairs.'

"'Alfred, choose now,' said mother, who laid her hand upon my arm. She trembled violently, and was deadly pale.

"'If you touch me I will kick you,' said I, in a terrible rage. God knows I knew not what I said.

"'Will you go, Alfred?'

"'No!' I replied, but quailed beneath her eye.

"'Then follow me,' said she, as she grasped my arm firmly. I raised my foot—oh, my son, hear me!—I raised my foot and kicked her—my sainted mother! How my head reels, as the torment of memory rushes over me! I kicked my mother—a feeble woman my mother! She staggered back a few steps, and leaned against the wall. She did not look at me. I saw her heart beat against her breast. 'Oh! Heavenly Father,' she cried, 'forgive him—he knows not what he does!' The gardener just then passed the the door, and seeing my mother pale, and almost unable to support herself, he stopped; she beckoned him in. 'Take this boy up stairs and lock him in his own room,' she gave me such a look,—it will forever follow me—it was a look of agony, mingled with the intensest love—it was the last, unutterable pang from a heart that was broken.

"In a moment I found myself a prisoner in my own room. I thought for a moment, I would fling myself from the open window, and dash my brains out, but I felt afraid to die. I was not penitent. At times my heart was subdued, but my stubborn pride rose in an instant, and bade me not yield.—The pale face of my mother haunted me.—I flung myself on the bed, and fell asleep. Just at twilight I heard a footstep approch the door. It was my sister.

"'What may I tell mother from you?' she asked.

"'Nothing,' I replied.

"'Oh, Alfred! for my sake, for all our sakes, say that you are sorry—let me tell mother that you are sorry. She longs to forgive you.'

"'I would not answer. I heard her footsteps slowly reiterating, and again I flung myself on the bed to pass another wretched and fearful night.

"Another footstep, slower and feebler than my sister's disturbed me. A voice called me by name. It was my mother's."

"'Alfred, my son, shall I come in? Are you sorry for what you have done?' she asked.

"I cannot tell what influence, operating at that moment, made me speak adverse to my feelings. The gentle voice of my mother that thrilled through me, melted the ice from my obdurate heart, and I longed to throw myself on her neck, but I did not. But my words gave the lie to my heart, when I said I was not sorry. I heard her withdraw. I heard her groan. I longed to call her back, *but I did not.*

"I was awakened from my uneasy slumber by hearing my name called loudly, and my sister stood by my bedside.

"Get up, Alfred! Oh, don't wait a minute! Get up, and come with me. Mother is dying.'

"I thought that I was yet dreaming, but I got up melancholy, and followed my sister. On the bed, pale and cold as marble, lay my mother. She had not undressed. She had thrown herself on the bed to rest; arising to go again to me, she was seized with a palpitation of the heart, and borne senseless to her room.

"I cannot tell you my agony as I looked upon her—my remorse was tenfold more bitter from the thought that she would never know it: I believed myself to be her murderer. I fell on the bed beside her.—I could not weep. My heart burned in my bosom; my brain was all on fire. My sister threw her arms around me and wept in silence. Suddenly we saw a slight motion of mother's hand—her eyes unclosed. She had recovered consciousness, but not speech. She looked at me, and moved her lips.—I could not understand her words. 'Mother, mother,' I shrieked, 'say only that you forgive me.' She could not say it with her lips, but her hand pressed mine. She smiled upon me, and lifting her thin, white hands, she clasped my own within them, and cast her eyes upward. She moved her lips in prayer, and thus she died. I remained still kneeling beside that dear form, till my gentle sister removed me. The joy of youth had left me forever.

"Boys, who spurn a mother's control, who are ashamed to own that they are wrong, who think it manly to resist her authority, or yield to her influence, *beware* Lay not up for yourselves bitter memories for your future years.

The editor of the Prairie Chieftain has been elected fence viewer, and he notifies all persons wishing their fences viewed to bring them in.

A careless compositor lately dissolved the Union, by transposing two letters, whereby the United States became the *Untied* States.

A dandy, with a cigar in his mouth entered a menagerie, when the proprietor requested him to take the weed from his mouth, lest he should learn the other monkeys bad habits.

SPIRITUAL RAPPINGS.

[A spiritual poem not by "Peyton."]

Once, upon a midnight stormy, a lone batchelor attorney pondered many a curious volume of his heart forgotten lore; while he nodded, nearly napping, suddenly there came a tapping, as of some one gently rapping—rapping at his chamber door. "'Tis the spirits!" and he started, "rapping at my chamber door. Oh, for help! I'm frightened sore!"

Then into his chamber flitting (not even once permitting him to fly into the closet, or to get behind the door) came the ghosts of fond hearts broken, (with many a ring and other token,) and they sat them down beside him on the dusty book-strewn floor—sat them down amid the volumes of most venerable lore. Quoth the lawyer "What a bore!"

"It must be something serious; this is certainly mysterious—quite an advent of the spirit—resurrection *con amore*. But I understand them mostly." Here there came a rap so ghastly that he could no more dissemble, as he had done heretofore, and his face grew pale and paler as he started for the door—down he fell upon the floor!

Then there came a clatter, and his teeth began to chatter, as the spirits gathered around him, and accused him very sore; how, with handsome face all smiling, and with willing words beguiling, he had charmed away the senses of fair maidens by the score! and each lass had fondly fancied 'twas her he did adore. Quoth the lawyer, "Nevermore!"

Startled at the stillness broken by reply so aptly spoken, (for the answer, strange enough, quite a relevancy bore,) they began a noisy rapping—sort of spiritual clapping—which the lawyer thought could be but a fashionable encore; and again, as if his soul in that word he would outpour, did he groan out "Nevermore!"

Presently his soul grew stronger. Hesitating then no longer, "Oh!" said he, "sweet spirits, your forgiveness I implore. On my knees to every ghostess who to love has played the hostess, I will promise to recant the many faithless things I swore. Will you promise then to leave me?" Here he pointed to the door. Rapped the spirits, "Nevermore!"

"Be that word our sign of parting," said the hapless wight, upstarting. "Hie ye hence into the darkness—seek ye out some distant shore. In the noisy camp or forum, in the lonely *sanc sanctorum* such ghostly, grim, ungainly guests were never seen before.—Leave my loneliness unbroken." Here he opened wide the door. Rapped the spirits, "Nevermore!"

So these vixen guests of evil—spirits still, though most uncivil—they will never leave the lawyer, though in tears he may implore. At his false heart they are tapping, they are rapping, rapping, rapping, and he wishes—oh, how vainly!—that his haunted life were o'er; and he often sighs, "Oh, could I but recall the days of yore, I would flirt—ah, 'nevermore!'"—*Arkansas Traveller.*

GOLDEN RULES OF LIFE.

All the air and the exercise in the universe, and the most liberal table, but poorly suffice to maintain human stamina, if we neglect other co-operatives—namely, the obedience to the laws of abstinence, and those of ordinary gratification. We rise with a headache, and set about puzzling ourselves to know the cause. We then recollect that we had a hard day's fag, or that we feasted over-bounteously, or that we staid up very late, at all events, we incline to find out the fault, and then we call ourselves fools for falling into it. Now, this is an occurrence happening almost every day; and these are the points that run away with the best portion of our life, before we find out what is for good or evil. Let any single individual review his past life; how instantaneously the blush will cover his cheek, when he thinks of the egregrious errors he has unknowingly committed—say unknowingly, because it never occurred to him that they were errors until the effect followed that betrayed the cause. All our sickness and ailments, and a brief life, mainly depend upon ourselves. There are thousands who practise errors day after day and whose pervading thought is, that everything which is agreeable and pleasing cannot be hurtful. The slothful man loves his bed, the toper his drink, because it throws him into an exhilarative and exquisite mood; the gourmand makes his stomach his god; and the sensualist thinks his delights imperishable. So we go on, and at last we stumble and break down. We then begin to reflect, and the truth stares us in the face how much we are to blame.

☞ Mr. Toombs, a distinguished Whig member of Congress from Georgia, has declared in favor of Mr. Buchanan for the next Presidency. Two Whig papers in Georgia have hoisted the name of the same well tried and talented democratic statesman, and the Montgomery (Ala) Advertiser has followed suit. The Whigs of the South begin to realize that the democratic party have had reason to be proud of such an advocate as old Buck.

☞ Hopkins, the absconding sheriff of St. Clair county, Illinois, has returned and cancelled nearly all the legal demands against him. He deserves credit.